IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 42847-M of 2006

Iqbal Singh and others

.... PETITIONERS

Versus

State of Haryana

..... RESPONDENT

Crl. Misc. No. 44918-M of 2006

DATE OF DECISION : 18.01.2007

Jai Pal Singh

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.P.S. Sidhu, Advocate,
for the petitioners.

Mr. Partap Singh, Senior D.A.G., Haryana.

Ms. Sangeeta Dubey, Advocate,
for the complainant.

* * *

This order shall dispose of Crl. Misc. No. 42847-M of 2006, filed by Iqbal Singh and Daljeet Kaur (father-in-law and mother-in-law) and Crl. Misc. No. 44919-M of 2006, filed by Jai Pal Singh (husband).

2. The petitioners, apprehending their arrest in a non-bailable offence in case FIR No. 282 dated 2.7.2006 registered at Police Station Civil Lines Karnal, District Karnal, under Sections 406/498-A/506 IPC, have filed these petitions under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

3. On July 25, 2006, while issuing notice of motion in Crl. Misc. No. 42847-M of 2006, counsel for the petitioners contended that the petitioners have been falsely implicated in this case on the basis of false allegations. Accordingly, interim anticipatory bail was granted to the father-in-law and mother-in-law of the complainant. Thereafter, on August 11, 2006, on the statement of counsel for the petitioner in Crl. Misc. No. 44918-M of 2006, that the petitioner-husband is ready for settlement as per the wish of the complainant side, interim anticipatory bail was also granted to the husband. Thereafter, these petitions were adjourned for several times for amicable settlement between the parties, but the parties could not arrive at an amicable settlement, as the petitioners were not ready to accept the terms and conditions of the complainant.

4. I have heard the arguments of learned counsel for the parties on merits and have gone through the contents of the FIR.

5. In this case, marriage between the complainant and petitioner Jai Pal Singh was solemnized on 21.8.2005. As per the allegations in the FIR, the petitioners and other family members started harassing the complainant on account of bringing less dowry. It is alleged that at the time of the marriage, sufficient dowry was given. In spite of that, the petitioners demanded more dowry. In the FIR, specific instances have been given, when the complainant was given beatings not only by her husband, but by her father-in-law and mother-in-law also. The said beating was not given on one time, but on several occasions. The allegations in detail have been levelled in the FIR. The allegations against the petitioner in the FIR are serious and in this case, the demand of dowry is alleged to have been made soon after the marriage, which was solemnized on 21.8.2005.

6. Counsel for the petitioners contends that co-accused of the petitioners, namely Manpreet Kaur, who is sister-in-law of the complainant, has been granted anticipatory bail by the trial court, therefore, the petitioners should also be granted anticipatory bail on parity. I do not find any substance in the contention of counsel for the petitioners, as in the FIR,

specific allegations of beating have been levelled against the petitioners. So far as Manpreet Kaur (sister-in-law) is concerned, allegation against her is that she instigated the petitioners to give beating to the complainant, but she herself did not give beating. In this case, the dowry articles have also not been recovered.

7. Keeping in view the facts and circumstances of the case, the nature of allegations against the petitioners and the stand taken by them in this court during the course of amicable settlement, I am not inclined to grant them anticipatory bail to the petitioners.

8. Dismissed.

January 18, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**